

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DARRYL ORRIN BAKER,	)	
	)	
Plaintiff	)	
	)	
v.	)	Civil Action No. 05-146E
	)	
UNITED STATES OF AMERICA	)	JUDGE McLAUGHLIN
GOVERNMENT OFFICIALS AT	)	MAGISTRATE JUDGE BAXTER
FCI-McKEAN, WARDEN, OFFICER	)	
B. WESEMEN, MEDICAL DEPARTMENT	)	Electronically Filed
	)	
Defendants.	)	

**DEFENDANTS' MOTION TO EXTEND TIME FOR FILING  
A RESPONSIVE PLEADING AND/OR DISPOSITIVE MOTION**

Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure, defendants the United States of America, Government Officials at FCI-McKean, Warden, Officer B. Wesemen, and Medical Department, by their undersigned counsel, hereby file this Motion to Extend Time for Filing a Responsive Pleading and/or Dispositive Motion, and in support thereof state as follows:

1. On May 16, 2005, plaintiff Darryl Orrin Baker filed two (2) civil actions, including the above-captioned action and a related action at C.A. No. 05-147E.
2. As of this date, plaintiff has failed to serve the U.S. Attorney's Office with either a Complaint or Summons at either of the above-listed civil action numbers.
3. Counsel for defendants received a copy of the Complaint in this action from personnel at FCI McKean on November 16, 2005.
4. The undersigned counsel asks for an extension of sixty (60) days to allow the *pro se* plaintiff to perfect service upon the U.S. Attorney's Office and to file a responsive pleading and/or dispositive motion.

5. Plaintiff is a *pro se* inmate and, as a result, has not been contacted regarding his consent or opposition to this motion.

WHEREFORE, defendants the United States of America, Government Officials at FCI-McKean, Warden, Officer B. Wesemen, and Medical Department, defendants respectfully request that the Court grant their motion and issue an Order extending by sixty (60) days, or until January 16, 2006, the time in which defendants may file their responsive pleading and/or dispositive motion to plaintiff's Complaint.

A proposed order is attached.

Respectfully submitted,

MARY BETH BUCHANAN  
United States Attorney

s/Megan E. Farrell  
MEGAN E. FARRELL  
Assistant U.S. Attorney  
Western District of PA  
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Pittsburgh, PA 15219  
(412) 894-7429  
PA ID No. 76972

Counsel for defendant the United States of  
America, Government Officials at FCI-  
McKean, Warden, Officer B. Wesemen, and  
Medical Department

Dated: November 23, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23<sup>rd</sup> day of November, 2005, a true and correct copy of the foregoing Defendant's Motion to Extend Time for Filing a Responsive Pleading and/or Dispositive Motion was served by first-class U.S. mail, to the following:

Darryl Orrin Baker  
Plaintiff *Pro Se*  
Reg. No. 19613-039  
FCI Lisbon  
Post Office Box 10  
Lisbon, OH 44432-0010

s/Megan E. Farrell  
MEGAN E. FARRELL  
Assistant U.S. Attorney